

housing appeals committee



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# Housing Appeals Committee

## Fact Sheet

The Housing Appeals Committee is a five-member body that adjudicates disputes as they arise under the state’s comprehensive permit law, MGL Chapter 40 B, sections 20-23. Three members are appointed by the Director of the Department of Housing and Community Development, one of whom must be an employee of that agency. Two members are appointed by the governor, one of whom must be a city councillor, and one of whom must be a selectman.

**How  
it works**

To encourage the development of affordable housing, the comprehensive permit law allows a local zoning board of appeals (ZBA) to issue a comprehensive permit overriding town zoning and other local regulations. A developer, nonprofit organization or government agency that proposes to build or substantially rehabilitate subsidized low and/or moderate income housing can appeal to the Housing Appeals Committee if the ZBA either denies the comprehensive permit or grants the permit subject to conditions which make the proposal uneconomic. A decision of the Housing Appeals Committee may be appealed to the Superior Court.

**Who is  
eligible**

Any developer of housing approved under an eligible state or federal housing program who has been denied a comprehensive permit by a Zoning Board of Appeals in a city or town with less than 10% of its housing units affordable to low or moderate income persons.

**For further  
information**

For more information, please call the Housing Appeals Committee at (617) 727-6192 or visit the Committee’s website at [www.state.ma.us/dhcd/components/hac](http://www.state.ma.us/dhcd/components/hac).